

1 MEISELMAN, DENLEA, PACKMAN,
2 CARTON & EBERZ P.C.

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9 CALDWELL LESLIE & PROCTOR, PC

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18 Attorneys for Plaintiffs Berenblatt, Personette,
19 Simpson, Miller and all others similarly situated

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1 Pursuant to Local Rules 6-2, 7-12 and 16-2(e), the parties, by and through their
2
3 respective counsel, hereby stipulate and request as follows:

4 WHEREAS, Plaintiffs filed a Second Amended Complaint in the *Berenblatt* action
5 and a First Amended Complaint in the *Wagner* action on September 21, 2009;

6 WHEREAS, Defendant filed its Motion to Dismiss the amended complaints (the
7
8 “Motion”) on November 5, 2009;

9 WHEREAS, the Motion is currently noticed for hearing on February 5, 2010;

10 WHEREAS, the Court scheduled a Case Management Conference for November
11
12 13, 2009;

13 WHEREAS, for the convenience of counsel and the Court the parties request that
14 the Case Management Conference and hearing on the Motion be held on the same date,
15
16 February 5, 2010;

17 WHEREAS, the continuance of the Case Management Conference will not affect
18
19 any other deadlines in this action;

20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that the
21
22 Case Management Conference currently scheduled for November 13, 2009 shall be
continued to February 5, 2010.

23 Dated: November 9, 2009

Caldwell Leslie & Proctor, PC

24 By: /s/ Robyn C. Crowther
25 Robyn C. Crowther
26 Attorneys for Plaintiffs Berenblatt,
27 Personette, Simpson and Miller
28

1 Dated: November 9, 2009

GIRARD GIBBS, LLP

2 By: /s/ Eric H. Gibbs
3 Eric H. Gibbs
4 Attorneys for Plaintiffs Wagner
and Meyers

5 Dated: November 9, 2009

Morrison & Foerster LLP


6 By: /s/ Andrew D. Muhlbach
7 Andrew D. Muhlbach
8 Attorneys for Defendant

9 *Filer's Attestation:* Pursuant to General Order No. 45.1, I, Robyn C. Crowther attest that I
10 obtained concurrence in the filing of this document from the other signatories.

11 **PROPOSED ORDER**

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 Dated: November 12, 2009

14 
15
16 The Honorable Jeremy Fogel
17 United States District Judge